

REMARKS

The Office examined claims 1-19 and rejected same. With this paper, none of the claims are changed, none are canceled, and none are added. Thus the application includes claims 1-19 as originally filed.

Claim Rejections under 35 USC §102

The Examiner rejected claims 1-8, 11-14 and 16-19 under 35 USC §102(b) as being anticipated by Slipy *et al* (US Patent No. 5,955,700).

The Examiner asserts that Slipy teaches all the elements of claim 1. The applicant respectfully disagrees with this assertion.

Slipy describes a latching mechanism 106 rotatably mounted in the housing unit. When a battery door cover meets with the housing unit for attachment, a catch of the battery door cover rides the cam surface to rotate the latching mechanism until the catch on the latching mechanism locks with the catch on the door cover.

Although graphically similar, the corresponding element of applicant's invention, i.e. release member 34, is not a locking (latching) device. This element does not serve the function of holding two parts (i.e. casing part 21 and cover part 23, as shown in the mobile phone example) together. In fact, the applicant explains in the published specification (2002/0002059):

[0004] -- The cover is attached to a conventional mobile telephone using adhesive, for example, double sided adhesive tape, or resilient clips moulded integrally with the cover that engage in corresponding recesses in the casing. --

The applicant also explains the function of the release member 34 as:

[0043] When the cover 23 is to be separated from the casing 21, the release member 34 is rotated back to the orientation in which it was inserted. To rotate it, a downward pressure must be applied to compress the washer 43 so that the lugs 36 will freely pass over the pips 47, as previously explained. As the release member 34 is rotated, the cam surface 38 which, with the release member 34 in its locked position, is usually flush with or lower than the surface of the region 26 of the casing 21, is forced against the underside of the cover 23, urging it away from the casing 21 and breaking the adhesive or other connection holding the two components together. The cover 23 can then be easily peeled off the casing 21.

Clearly, the current invention includes a mechanism that facilitates a separation of two parts from each other but not a locking mechanism that holds two parts together.

In Slipy's invention, the cam 206 of the locking device is designed to engage/disengage the catch 208 with catch 118 when the device rotates. Whereas in the exemplary embodiment of the current invention as illustrated, the cam 38 of the release member 34 is annular shaped and, when the release member 34 rotates, the maximum height H of the flange 37 changes position with the minimum height of the flange 37. As the result, a separating force is applied to the underside of the cover 23, thereby breaking e.g. an adhesive seal. This way, the cover 23 is easily separated from the casing 21 and probability of damages to either the cover 23 or the casing 21 is minimized. The relationship between the release member 34 and housing parts 21 and 23 when fully assembled is depicted in fig. 9.

Based on the above observations, the applicant respectfully submits that, claim 1 is not anticipated by Slipy. Therefore, it should be allowable. The applicant respectfully requests that the rejections under 35 USC §102(b) of claim 1 be reconsidered and withdrawn.

Since independent claims 1 is believed allowable, applicant respectfully requests that the rejections of the other claims under 35 USC §102(b)--i.e. claims 2-8, 11-14, and 16-19--being dependent upon claim 1, also be reconsidered and withdrawn.

Claim Rejections under 35 USC §103

The Examiner rejected following claims under 35 USC §103(a):

Claims 9-10 and 15 are rejected under 35 USC §103(a) as being unpatentable over Slipy.

Since independent claim 1 is believed allowable for the reasons given above, applicant respectfully requests that the rejections of the above claims 35 USC §103(a), being dependent upon claim 1, also be reconsidered and withdrawn.

Conclusion

For all the foregoing reasons it is believed that all of the claims of the application are now in condition for allowance, and their passage to issue is earnestly solicited. Applicant's attorney urges the Examiner to call to discuss the present response if anything in the present response is unclear or unpersuasive.

9 March 2005

Date

Ware, Fressola, van der Sluys & Adolphson
LLP
755 Main Street, P.O. Box 224
Monroe, CT 06468-0224
Tel: (203) 261-1234
Cust. No.: 004955

Respectfully submitted,

Francis J. Maguire

Francis J. Maguire
Attorney for the Applicant
Registration No. 31,391